

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

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Chairperson

Michael Shapiro

Vice-Chairperson

Jennifer Bajar

Secretary

Michael Mahon

Members

Frank Yozzo

Ira Levin

Matthew Weilheimer

Alan Zwerin

Paul Schlaflin - Alt. #1

Marc Ellenberg. # 2

Zoning Board Clerk

Yvonne Cautillo

Attorney

Ronald D. Cucchiaro, Esq.

Engineer

Birdsall Engineering

Al Hilla, P.E., P.P.

Planner

T & M Associates

Richard Cramer, P.P.

Administrative Officer

Zoning Officer

Sarah Paris

Traffic Engineer

Medina Consultants

Mark Kataryniak, PE, PTOE

MINUTES

ZONING BOARD OF ADJUSTMENT

JANUARY 12, 2010

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT:

**Mark Ellenberg, Alan Zwerin,
Frank Yozzo, Michael Shapiro,
Jennifer Bajar, Michael Mahon,
Ira Levin**

ALSO PRESENT:

**Ronald Cucchiaro, Esq. Board Attorney
Al Hill, P.E., Board Engineer
Richard Cramer, P.P., Board Planner
Sarah Paris, Administrative Officer**

ABSENT:

Matthew Weilheimer, Paul Schlaflin

Mr. Mahon acting as temporary Chair welcomed Ira Levin, Frank Yozzo, Alan Zweig, and Marc Ellenberg stating they were all previously sworn in and signed Certifications of Oath prior to the meeting as official Members of the Board.

The Board accepted the minutes of December 15, 2009.

Minutes Approved:

Offered: Michael Mahon Second: Jennifer Bajar

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Ronald Cucchiaro, Esq. of Weiner Lesniak, LLP as Board Attorney.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Lawrence Sachs, Esq. as Conflict Legal Services.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Al Hilla, P.E. of Birdsall Engineering as Board Engineer.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Charles Carley, P.E. of Delaware Raritan Engineering as Conflict Engineering Services.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Richard Cramer, P.P. of T & M Associates as Board Planner.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Hyer and Gruel as Conflict Planning Consultant.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain:

Motion Granted.

Motion to appoint Mark Kataryniak, P.E. of Medina Consultants as Traffic Engineering Consultant.

Offered by: Michael Mahon Seconded by: Michael Shapiro

Ayes: 7 Nays: 0

Absent: 2 Abstain: 0

Motion Granted.

Motion to appoint Birdsall Engineering as Conflict Traffic Engineering Consultant.

Offered by:	Michael Mahon	Seconded by:	Michael Shapiro
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint Sarah Paris as Administrative Officer.

Offered by:	Michael Mahon	Seconded by:	Michael Shapiro
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint the Asbury Park Press and Star Ledger as the Board Newspapers.

Offered by:	Michael Mahon	Seconded by:	Michael Shapiro
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to schedule Zoning Board Meeting Dates and Times on the following 2010 dates:

Meeting time: 8:00 p.m. (Unless otherwise indicated herein.)

January	12 (Re-org), 19
February	2, 16
March	2, 16
April	6, 20
May	4, 18
June	1, 15
July	6, 20
August	3, 17
September	7, 21
October	5, 19
November	9, 23 (2nd is Election Day and 16th is the League Convention)
December	7, (13, 14, 15, at 7:00 p.m. for Interviews of potential Board Professionals), 21

Re-organization January 11, 2011

Offered by:	Michael Mahon	Seconded by:	Michael Shapiro
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint Michael Shapiro as Chair.

Offered by:	Michael Mahon	Seconded by:	Jennifer Bajar
Ayes:	6	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint Jennifer Bajar as Vice-Chair.

Offered by:	Michael Shapiro	Seconded by:	Michael Mahon
Ayes:	6	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint Michael Mahon Board Secretary.

Offered by:	Michael Shapiro	Seconded by:	Jennifer Bajar
Ayes:	6	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to appoint Ronald Cucchiaro, Esq. of Weiner Lesniak, LLP for Pending Litigation.

Offered by:	Michael Shapiro	Seconded by:	Michael Mahon
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

Motion to adopt Resolutions of 2010.

Offered by:	Michael Shapiro	Seconded by:	Michael Mahon
Ayes:	7	Nays:	0
Absent:	2	Abstain:	0

Motion Granted.

There was no public session.

ZB 09- 6373 – Richard and Carol Champagne

Continuation of a Public Hearing for a use variance to construct a 3,600 square foot one story medical office at 480 Route 79, Morganville, Block 126, Lot 33 in the R-30/20 residential zone.

Gerald Sonnenblick, Esq. represented the applicants. The Board carried this application to February 16, 2010.

ZB 05-6198A – Marlboro Grande aka Royal Pines at Marlboro

Continuation of a Public Hearing for permission to modify approved site plan to remove from same an offsite sidewalk area extending northerly from the site at 362 Route 9 North, Marlboro, NJ, Block 299, Lot 3, located in the C-3 Zone.

Ms. Maller represented the applicant. The Board carried this application to January 19, 2010.

ZB 09- 6371 – TDA Capital, LLC

Continuation of a Public Hearing for site plan approval to construct a warehouse and office at 114 Tennent Road, Morganville, Block 147, Lot 28.02 in the C-2 Neighborhood Commercial Zone.

Paul LaSalle, Esq., Cleary Alfieri represented TDA Capital; the Board carried this application to March 2, 2010.

ZB 06- 6262A – Croddick Real Estate Holdings, LLC (Mannion Manor)

Continuation of Hearing for approval of Final Major Subdivision (Mannion Manor) located at Buckley Road, Marlboro, NJ, Block 417, Lot 7 in the R-80 Zone.

Gerald Sonneblich, Esq, represented the applicant. Mr. Ronald Cucchiaro stated he will review and a date will be determined..

ZB 10- 6377 – Alex and Zena Vaysman

Public Hearing for approval to keep shed, driveway and patio exceeding permitted lot coverage located at 311 Bayview Drive, Morganville, Block 153.02, Lot 5 in the R-80 Zone.

The application was read into the record. The Board took jurisdiction. The following evidence was entered:

- | | |
|--------|---|
| A – 1 | Petition on Appeal |
| A – 2 | Denial by Zoning Officer |
| A – 3 | Indemnification and Hold Harmless Agreement |
| A – 4 | Disclosure Statement |
| A – 5 | Tax Collector's Certification |
| A – 6 | W-9 |
| A – 7 | Notice To Adjoining Property Owners |
| A – 8 | Adjacent Property Listing |
| A – 9 | Certified White Receipts and Green Cards |
| A – 10 | Affidavit of Service |
| A – 11 | Affidavit of Publication |
| A – 12 | Affirmation of Local Pay to Play Ordinance |
| A – 13 | Owners Affidavit of Authorization and Consent |
| A – 14 | Application Affidavit of Completeness |
| A – 15 | As-Built-Pool Plan prepared for 311 Bayview Drive, Block 153.02, Lot 5, By GTS Consultants,
30 Broad Street, Freehold, NJ dated 6/24/2009. |

Paul LaSalle represented the applicant. The Board carried this application to February 16, 2010.

Michael Shapiro, Chair, welcomed the new Board Members: Ira Levin, Frank Yozzo, Alan Zwerin and March Ellenberg. The committee met for the professionals and Mr. Shapiro thanked them, all the new members and professionals.

Mr. Shapiro mentioned the March 20, 2010 Seminar for the Board to attend at Brookdale College.

The Board went into workshop with discussion led by Ronald Cucciario, Esq.

Motion to adopt Resolutions of 2010.

Offered by: Michael Shapiro

Seconded by:

Ira Levin

7

Nays:

0

Absent: 2

Abstain:

0

Motion Granted.

Meeting Adjourned.

Respectfully submitted,